

## *José Francisco Chaves*

### 1833–1904

TERRITORIAL DELEGATE 1865–1867; 1869–1871  
REPUBLICAN FROM NEW MEXICO

Like many of his 19th-century contemporaries, three-term Territorial Delegate José Francisco Chaves, used his distinguished military service as a route to political office. A prominent militia commander and a Union officer during the Civil War, Chaves began as a local power broker working with key politicians in Santa Fe. Elected to Congress at the end of the Civil War, Chaves emerged as a strong supporter of New Mexican statehood when he made a memorable speech on the House Floor. In an open letter to constituents, Chaves pointed out the disadvantages of New Mexico's remaining a territorial possession. "You are not the owners of your own laws or of your own servants [political representatives]," Chaves declared. "Therefore, you are not essentially a free people, but rather a subordinate, dependent community, governed ... by the pleasure or whim of men who live far from your borders, who in their public actions towards you are sometimes governed by individual influences and rarely act with due concern for your true condition and your needs."<sup>1</sup>

José Francisco Chaves was born on June 27, 1833, in Los Padillas, Bernalillo County, New Mexico, to Mariano Chaves and Dolores Perea. Like their cousins Francisco and Pedro Perea, the Chaves family played a prominent role in New Mexico's military and political affairs. Chaves's paternal grandfather, Francisco Xavier Chaves, was governor of New Mexico after Mexico won its independence from Spain in 1821. Chaves's father was a prominent military officer and an aide to Mexican general Manuel Armijo, who suppressed the Pueblo Revolt of 1837. José Chaves was educated in Chihuahua, Santa Fe, and St. Louis. Like the sons of many elites in New Mexico, Chaves attended college in Missouri, studying at St. Louis University from 1841 to 1846.<sup>2</sup> "The heretics are going to over-run all this country," Mariano Chaves told his

son before sending him to St. Louis. "Go and learn their language and come back prepared to defend your people."<sup>3</sup> Chaves returned to New Mexico and may have fought in the Mexican-American War. Afterward, he completed his education in New York, attending private academies in New York City and in Fishkill. He also studied medicine for one year at the College of Physicians and Surgeons in New York City before returning to New Mexico in 1852. From 1853 to 1857, he managed the family ranch. Chaves married Mary Bowie of California in 1857, and they raised a daughter, Lola, and a son, Francisco. After Mary died in 1874, Chaves married Mariana Armijo and adopted her son, James. Mariana passed away in 1895.<sup>4</sup>

Chaves's career in local politics began at the same time he became active in territorial military affairs. In 1859 and 1860, he took part in military expeditions against hostile Navajos, whose attacks on U.S. settlements resulted in approximately 300 deaths and \$1.5 million in stolen property. Chaves had been elected to the Ninth Legislative Assembly (1859–1860) as a representative of Valencia County, but because of his military commitment, he served just one term. At the outbreak of the Civil War in 1861, Chaves served as a major in a volunteer regiment of the First New Mexico Infantry to defend the territory against a Confederate army led by General Henry Sibley. During the war, Chaves served at Fort Union, near Santa Fe, and at Fort Craig. He also fought in the Battle of Valverde and in skirmishes near Albuquerque.<sup>5</sup> Chaves was promoted to a lieutenant colonel for his service.

After the Confederates were definitively repulsed in late 1862, the Union Army in the Southwest targeted the Apaches and the Navajos. Chaves led four companies of infantry into lands west of Santa Fe to harass the Navajos and protect U.S. settlers.<sup>6</sup> The goal was to compel their surrender and move them to the newly formed Bosque



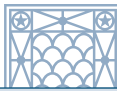
Redondo Reservation in eastern New Mexico, an area that was hundreds of miles from Navajo territory. Failure to comply, the army warned, would mean annihilation.<sup>7</sup> Chaves helped establish Fort Wingate, where he assumed command and assisted Colonel Kit Carson to harass and attack the Navajos in the summer of 1863. Years later Chaves recalled, “The instructions which I received from General [James H.] Carleton ... were to call in some of their principal [Navajo] men and notify them that a vigorous war would be waged against them for their many depredations against the citizens, and that all those who claimed to be good Indians and who wished to save themselves, their families, and their property, must come ... into Fort Wingate, and that they would be transported to the Bosque Redondo ... they would be taught to live like the whites ... and that they would be fed, cared for, and protected by the Government until they should be capable of doing so themselves.”<sup>8</sup> Honorably discharged from the army in 1865 after six years of pacifying the Apaches and Navajos, Chaves publicly criticized the territory’s “subjection or destruction” policies, particularly the Bosque Redondo Reservation experiment.<sup>9</sup>

After his discharge, Chaves entered the legal profession and became involved in territorial politics full-time.<sup>10</sup> His first campaign for elective office suggested considerable personal ambition and a commitment to undercut the Bosque Redondo program. When Chaves declared his intention to seek the Republican nomination for Delegate—one of the territory’s most coveted offices—in the 39th Congress (1865–1867), he directly challenged the one-term incumbent, his first cousin Francisco Perea. Although both men were Republicans, they represented different territorial factions of the party; Perea, the Union Party and Chaves, the Administration Party. In most respects, there was little daylight between these two groups that supported the U.S. federal government, but the Unionists supported General Carleton’s controversial Indian reservation policy, which the Administrationists denounced.<sup>11</sup>

Chaves campaigned on two central issues: renewed efforts to recover the Los Conejos region, along the New Mexico-Colorado border, and opposition to the Navajo

resettlement policy. As Delegate, Perea had submitted a bill for the return of the Los Conejos region to New Mexico and had written about it extensively. But Chaves supporters hinted that Perea’s inability to get the bill passed was due either to apathy or weakness.<sup>12</sup> The removal of Indians also proved to be a complex issue, and the realities of the campaign trail compelled Chaves to temper some of his opposition to the Navajo resettlement policy.<sup>13</sup> In some places, noted an observer, Chaves “is opposed to the Bosque Reservation; and in [another area] he is in favor of it. In San Miguel he is in favor of the Reservation but opposed to its management.” At other times, Chaves “dislikes [saying] anything on the subject but is rather inclined to favor it.”<sup>14</sup> Eventually Chaves’s opponents construed his resistance to the reservation as a repudiation of the territorial and federal government policies he had defended as a military officer—a stance that was incompatible with the role of a Territorial Delegate. Critics warned voters that Chaves was “a man who is unalterably opposed to the welfare of the country.” The territorial government “has expended much money in [the Bosque Redondo’s] establishment and is willing to spend more for its maintenance,” they said. If voters “are contented with what it has done and is doing for us in this behalf, there will be no difficulty” in choosing the right candidate for the job.<sup>15</sup>

A bitter feud among establishment *Hispanos*, animated by overt appeals to the Anglo minority, was on full display. During the campaign, Chaves’s opponents criticized his speaking style and his attacks on members of the elite. One critic wrote Chaves’s “stock in trade ... is abuse of prominent gentlemen in the Territory. If free use of abuse towards other people be an evidence of his fitness for Congressional honors he certainly would be the man for the place.” The writer also judged Chaves’s “ambition far overvaults his capacity.”<sup>16</sup> Perea downplayed his cousin’s challenge, intimating that Chaves was being manipulated by political enemies. Meanwhile, Chaves’s camp claimed that the military was actively suppressing supporters and that Chaves’s opponents were fostering racial tensions to promote an anti-Chaves voting bloc.



“The American inhabitants, including Germans, Irishmen, and all others born beyond New Mexico ... are openly appealed to by his enemies to combine as a race against him.” Chaves’s supporters cited a speech in which he advocated that *Hispano* troops should be led by *Hispano* officers. Describing Chaves as “just towards all classes of citizens,” the writer observed, “Some Americans, if they have a difficulty with a Mexican citizen, do not hesitate in trying to arouse the feeling of race among his countrymen, against the Mexican. These practices are not fair nor right, and if persisted in must lead to bad consequences.”<sup>17</sup>

Ultimately, Perea’s political standing suffered from his association with General Carleton, who had conceived and executed the plan for the Bosque Redondo. When Carleton was dismissed as commander of the Military Department of New Mexico, Chaves supporters used the incident to question Perea’s political integrity, noting that Chaves “in his speeches and conversation wherever he went through the Territory took decided ground against the official acts of the ‘Military Autocrat’ of New Mexico, and boldly denounced the policy ... in overriding the just claims of the citizens of the Territory.”<sup>18</sup> Perea’s political camp used time-honored methods to undercut the challenger: “Greenbacks and whisky flowed freely, and all sorts of tricks were resorted to in order that he might be politically prostrated.”<sup>19</sup> But the Bosque Redondo issue proved potent, and Chaves won, garnering 58 percent of the vote to Perea’s 42 percent.<sup>20</sup>

During Chaves’s first term he lobbied for statehood and for the acquisition of the Los Conejos section for New Mexico.<sup>21</sup> As was generally the case for Territorial Delegates of this era, Chaves was not permitted to serve on a standing House committee. A bill he submitted to restore the Los Conejos region to New Mexico was referred to the House Committee on Territories, where it died.<sup>22</sup> Although Chaves disagreed with Carleton’s “subjection or destruction” policy, he believed American Indians should be moved to facilitate Anglo and *Hispano* settlement, and submitted a bill that would place Utes, Apaches, Comanches, and Kiowas on reservations.<sup>23</sup> The Confederate occupation of the territory prevented

the completion of construction projects that had been authorized in previous appropriations legislation, and in making his case to renew these projects, Chaves spoke of New Mexicans’ loyalty even in the face of hardship. “I appeal to the generosity and liberality of this House to allow sufficient money to build up these buildings for my people, who, though they came into this Union not willingly, but by the fortunes of war, and who are a people of foreign extraction, are and have been as loyal as any people in the world,” Chaves said. Though the underlying bill passed, Chaves’s amendment was not adopted.<sup>24</sup> Chaves also submitted resolutions from the Legislative Assembly of New Mexico calling for relief from the damage caused by the 1861–1862 Confederate occupation and for appropriations for the completion of the territorial capitol and a penitentiary.<sup>25</sup>

Additionally, Chaves sought to persuade constituents to support statehood for New Mexico. Anticipating dissent, he argued that paying higher taxes for the ability to shape New Mexico’s political future was worth the cost. “In exchange for the taxation entailed by the increase in expenses, you will have your laws entirely under your own control and the acts of your legislature will not be subject to rescission or abrogation by a higher authority, as they are now and will continue to be if you remain in your present politically dependent condition.” Chaves also told constituents, with statehood, “you will have the high privilege of electing your own officials, who will be answerable to you for their conduct [and] ... to remove them from their jobs ... at your pleasure when they are unfaithful, instead of being obliged to send your complaints to this city [Washington, D.C.], [where] ... they are received with negligence and indifference, and frequently scorned.”<sup>26</sup>

During his re-election bid for the 40th Congress (1867–1869), Chaves ran against Democrat Charles P. Clever, a successful lawyer, a Civil War veteran, and the publisher of the *Santa Fe Weekly Gazette*. In his acceptance letter, Chaves thanked the delegates to the Republican convention. “I know and feel that there are among the members ... gentlemen who from their talents,



experience, and large interests in the Territory are better fitted to fill the important position [of Delegate] ... the results of the last convention are more gratifying to me; for it shows that what little I may have done in my official capacity has received the commendation of a majority of my constituents, and they are willing for a second time to entrust their interests in my hands.”<sup>27</sup> Chaves had to contend with perceptions that he had compiled a paltry legislative record. Supporters argued that his inability to win substantial legislative victories reflected Congress’s preoccupation with Reconstruction. One editorialist wrote, “The time of Congress was fully occupied with its consideration, leaving but little opportunity to consider the affairs and interests of the territories, which being without votes in Congress, without political power, could take no part and have no voice” in the deliberations. Moreover, supporters argued, opponents “with a zeal ... and a mendacity perfectly astonishing” undermined him by “creating a prejudice against him to impair his influence, by misrepresenting him, slandering him, villifying him ... in all places where the venom of their poisoned tongues could.”<sup>28</sup>

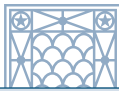
The election was one of the most protracted and contentious in New Mexican history, leaving the territory without representation in Congress for nearly two years. According to initial tallies, Chaves won with 1,123 votes versus Clever’s 577, though numerous discrepancies—seemingly attributable to chicanery by Clever’s supporters—marred the results.<sup>29</sup> In Rio Arriba County, where the majority voted for Chaves, Clever supporters stole the ballot box. In a precinct of Tierra Amarilla County that had never before polled 100 votes, 464 were cast, all but 12 for Clever. “Protect us from the shameful, the abominable results of the guilty works of the men who ... in the late canvass [have] shown conclusively that they have neither regard for the interests of the people of New Mexico, nor respect for their rights,” the editors of the *New Mexican* entreated the Republican-dominated Congress.<sup>30</sup> Chaves contested the results, alleging that alterations made in poll books after the election cost him several hundred votes. The committee also investigated charges of voter intimidation in Rio Arriba County. The case consumed

nearly all of the 40th Congress.<sup>31</sup> At its conclusion, the House Committee on Elections voted unanimously for Chaves. In his summation on the House Floor, Solomon N. Pettis of Pennsylvania said the committee’s decision hinged on the poll books. The facts of the case, Pettis noted, “disclosed a state of fraud and piracy upon the ballot-box, and a disregard of the laws not equaled by anything that ever before [came] under my observation in regard to any election.” The committee stated, “It was upon these frauds ... which were proved by witnesses before the committee, that we came to our conclusion.”<sup>32</sup> Chaves retained a 389-vote majority and was thus awarded the seat, but his victory was pyrrhic, since there were less than two weeks left in the 40th Congress.<sup>33</sup>

Chaves’s re-election to the House in 1869 for a seat in the 41st Congress (1869–1871) was comparatively trouble-free. His challenger was Vicente Romero, a successful entrepreneur described by the *Santa Fe New Mexican* as politically weak and lacking in organization.<sup>34</sup> Chaves defeated Romero, with 57 to 43 percent of the vote. One observer suggested that Chaves’s re-election was due to lingering public resentment about “the frauds of 1867, by which he was kept out of his seat ... for near two years.”<sup>35</sup>

During Chaves’s term in the 41st Congress, he submitted eight petitions, 26 bills, and one joint resolution.<sup>36</sup> Many of his legislative initiatives involved infrastructure improvements such as the construction of wagon roads and post roads, as well as the construction of a capitol building in Santa Fe.<sup>37</sup> Chaves submitted a bill requesting a land grant for the Atchison, Topeka, and Santa Fe Railroad, a bill seeking funding in the 1870 Indian Appropriations Bill (H.R. 1169), and a bill defining New Mexico’s northern boundaries using land surveys in the territory.<sup>38</sup>

Chaves spent much of his time initiating the statehood process, with little success. He submitted H.R. 954, a bill to authorize New Mexicans to “form a constitution and State government preparatory to their admission into the Union on an equal footing with the original States”; the bill was not considered and died at the end of the Congress. The issue of statehood was a sore subject for some New Mexicans. Twenty-five years after New Mexico



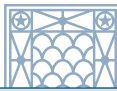
was annexed by the United States, it remained a territory, although many New Mexicans who had known nothing but territorial government were opposed to changing the status quo. In an eloquent floor speech, Chaves told colleagues New Mexicans felt that without statehood they had “no part in the general legislation of this country, and only a limited and subordinate part ... which directly relates to their own local interests.” New Mexicans, according to Chaves, were “anxious to assume that relation to the Government of the United States which will ... advance their local interests, and will enable them, through their Senators and Representatives in Congress, to demand ... protection and consideration from the Government which they now have to solicit as a matter of grace.”<sup>39</sup> The act that would enable New Mexico’s statehood failed to pass because of political gridlock.<sup>40</sup>

Chaves faced other obstacles, including New Mexico’s lackluster reputation among territorial military appointees, who often expressed “deep regret that the Territory was ever acquired from Mexico.” Other critics charged, “The people of New Mexico ... are not republican in spirit,” a dig at their patriotism as well as an expression of doubt about their fitness for self-rule.<sup>41</sup> According to one scholar, racial and religious prejudices toward *nuevomexicanos* made statehood a difficult cause.<sup>42</sup> Another scholar notes that New Mexicans’ own ambivalence, reflected in the divided support for statehood between Anglos and *Hispanos*, further doomed Chaves’s efforts.<sup>43</sup>

Chaves ran for a fourth term in 1871 against a formidable opponent, veteran Democrat and speaker of the territorial assembly José Manuel Gallegos. Gallegos had served as Territorial Delegate in the 33rd and 34th Congresses (1853–1857) and had run for the seat unsuccessfully in 1859 and 1863, blaming Chaves for his 1863 loss. Chaves’s path to re-election was further complicated when Republican José D. Sena split from the party to run as an Independent, taking votes away from Chaves.<sup>44</sup> The *Daily New Mexican*, which backed Chaves in the 1865, 1867, and 1869 races, supported Sena’s nomination in 1871. Even after Chaves secured the support of the nominating convention, the editors

promised only “to abide by the action of the Santa Fe Convention,” saying, “We will do all we can ... to secure his election to Congress.”<sup>45</sup> Chaves’s campaign stressed that a three-term Republican Delegate could do better for New Mexico than a freshman Democrat in a Republican-majority Congress. “Chaves, by his long service ... has fully established his republicanism, he has the entire political and personal confidence of the administration and of the Congress,” wrote “A Republican,” a frequent newspaper correspondent, “and I venture that there is not a single one of them who would not serve him personally.” Again, Chaves’s opponents charged that he had failed to bring home federal dollars. But “A Republican” warned, Gallegos’s election dooms “the fate of appropriations for public improvements of any kind of character; it defeats any enabling act [for statehood],” and any other beneficial legislation for the territory.<sup>46</sup> The election was marred by violence. On August 27, 1871, in the town of Mesilla, Republicans and Democrats formed two processions. The groups provoked each another, causing a riot; nine men were killed, and approximately 50 were injured.<sup>47</sup> In the end, Chaves could not overcome the Republican split, and Gallegos won, capturing 50 percent of the vote compared to 34 percent for Chaves and 16 percent for Sena.<sup>48</sup>

Like many of his predecessors, Chaves re-immersed himself in New Mexico politics after leaving Washington. He became a powerful political player through his interaction with the Santa Fe Ring, a group composed mainly of Republican lawyers and business professionals who dominated New Mexican politics. A number of sources alleged that Chaves controlled a political machine out of Valencia County.<sup>49</sup> He served as attorney for the Second Judicial District from 1875 until 1877. He also represented Valencia County as a member of the territorial council in New Mexico’s Legislative Assembly for 12 terms (1875–1904), presiding over the council for seven terms. Chaves was renowned for his skill as a parliamentarian in the assembly. A colleague noted that Chaves’s success “was due not only to his familiarity with the rules of procedure, but to his wonderful memory which enabled him to keep in mind ... the most tangled jumbles of resolutions offered,



motions to amend, of the acceptance or rejection of amendments, offers of substitutes, motions to lay on the table, and all such matters ... which would have driven a less capable man to the confines of distraction.”<sup>50</sup> He also presided over the 1889 state constitutional convention. Finally, Chaves served as New Mexico’s superintendent of public instruction from 1901 to 1903 and was appointed historian of New Mexico, although he died before filling the appointment.<sup>51</sup>

On November 26, 1904, Chaves was killed by a rifle shot in Pinos Wells, New Mexico, while dining with friends.<sup>52</sup> Immediately, three posses fanned out to search for the assassin. Three days later, Domingo Valles, who had an arrest record for stealing livestock, was captured. According to Chaves’s friend and eulogist, Frank W. Clancy, “There had been a series of grievous offenses in Torrance county, such as stealing of stock, destruction of property, burning of houses and fences, and other like things, and ... [Chaves] was active in seeking evidence to punish the malefactors, and there is no doubt that this activity on his part brought about the murder.” Clancy prosecuted the case against Valles, who was defended by future governor and U.S. Senator Octaviano Larrazolo. Clancy believed Valles was “the scoundrel who fired the fatal shot which killed Colonel Chaves,” but Larrazolo’s defense was so convincing that Valles was acquitted. No one else was ever charged with the crime.<sup>53</sup>

Chaves’s funeral was one of the largest ever held in Santa Fe. His body lay in state at the capitol with an honor guard. Several hundred people paid their respects before the funeral, at which former Territorial Delegate Pedro Perea was a pallbearer.<sup>54</sup> Chaves was interred at the U.S. National Cemetery in Santa Fe.

## FOR FURTHER READING

*Biographical Directory of the United States Congress*, “José Francisco Chaves,” <http://bioguide.congress.gov>.

Read, Martha Durant. “Colonel José Francisco Chaves: A Short Biography of the Father of the New Mexico Statehood Movement.” *Southwest Heritage* 8, no. 4 (Winter 1978–1979): 13–21, 30.

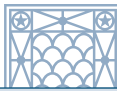
Walter, Paul A. F., ed. *Colonel José Francisco Chaves, 1833–1924* (Santa Fe: Historical Society of New Mexico, 1926).

## MANUSCRIPT COLLECTION

**Arizona Historical Society** (Tucson). *Papers*: Herman H. Heath Papers, 1867–1869, one folder. Contains correspondence from Chaves discussing New Mexico politics. There is also a miscellaneous biographical file for Chaves in the historical society’s general collection.

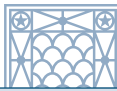
## NOTES

- 1 “No sois dueños de vuestras propias leyes ni de vuestros propios empleados. Por lo tanto, no sois esencialmente un pueblo libre, sino una comunidad subordinada y dependiente, gobernada ... sino por el placer o capricho de hombres que residen distante de vuestros, límites, quienes, en sus actos públicos hacia vosotros, son algunas veces gobernados por influjos individuos [*sic*] y raras veces obran con debido concimiento de vuestra verdadera condición y de vuestras necesidades.” J. Francisco Chavez (Chaves), “A los ciudadanos de Nuevo Mejico,” 4 May 1866, *The New Mexican* (Santa Fe, NM): 4. Translated as “To the Citizens of New Mexico,” by Translations International, Inc. (August 2010).
- 2 “J. Francisco Chavez,” in Maurilio E. Vigil, *Los Patrones: Profiles of Hispanic Political Leaders in New Mexico History* (Washington, D.C.: University Press of America, 1980): 56–62; Carlos Brazil Ramirez, “The Hispanic Political Elite in Territorial New Mexico: A Study of Classical Colonialism,” (Ph.D. diss., University of California–Santa Barbara, 1979): 285. According to an obituary for Chaves’s cousin Francisco Perea (“Francisco Perea, Delegate to 38th Congress, Dies at Home Here,” 22 May 1913, *Albuquerque Morning Journal*: 2), “early in the spring of 1843” a number of boys including Perea, Chaves, and future Delegate Miguel Otero attended school in St. Louis. Vigil states that Chaves attended school from 1841 to 1846.
- 3 Ralph Twitchell, *The Leading Facts of New Mexican History*, vol. 2 (Cedar Rapids, IA: Torch Press, 1912): 400–401. This quotation also appears in a few other biographies about Chaves.
- 4 Ramirez, “The Hispanic Political Elite in Territorial New Mexico”: 287; Twitchell, *The Leading Facts of New Mexican History*: 400–401; “By the Bullet of a Dastardly Assassin,” 27 November 1904, *Santa Fe New Mexican*: 1; “Suspected Assassin of Colonel J. Franco Chaves Captured by Game Warden P. B. Otero,” 28 November 1904, *Santa Fe New Mexican*: 1.
- 5 “J. Francisco Chavez,” in Vigil, *Los Patrones*: 57; Frank McNitt, *Navajo Wars: Military Campaigns, Slave Raids, and Reprisals* (Albuquerque: University of New Mexico Press, 1972): 385–392, 398–399. McNitt states that Chaves participated in the 1859–1860 campaigns because of settlers’ anxiety about Navajo incursions that resulted in 300 deaths and \$1.5 million in stolen property.

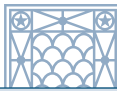


- Governor Abraham Rencher and Colonel Thomas T. Fauntleroy agreed to form a battalion of five citizen companies. The governor reported to Secretary of State Lewis Cass that Chaves's group "had cut swathes through Navajo cornfields, captured thousands of their livestock, and returned with about one hundred Navajo women and children ... as captives." For a different perspective, see Peter Iverson, *Diné: A History of the Navajos* (Albuquerque: University of New Mexico Press, 2002): 41–48.
- 6 Ray C. Colton, *The Civil War in the Western Territories: Arizona, Colorado, New Mexico, and Utah* (Norman: University of Oklahoma Press, 1959): 125. Brigadier General James H. Carleton, commander of the Department of New Mexico, wrote on September 22, 1862, that he ordered Chaves and his four companies "to move into Navaho country ... to punish them for stealing livestock and killing a large number of white people."
  - 7 Colton, *The Civil War in the Western Territories*: 136–138. Carleton told Navajo leaders they had until July 1863 to move to the Bosque Redondo Reservation, after which "any Navaho seen by the soldiers ... was to be treated as hostile. Orders were given to kill every male Navaho Indian who could be found who was capable of bearing arms and to take women and children as prisoners." For a detailed study, see Gerald Thompson, *The Army and the Navajo: The Bosque Redondo Experiment, 1863–1868* (Tucson: University of Arizona Press, 1976).
  - 8 *Congressional Globe*, Appendix, 39th Cong., 2nd sess. (2 March 1867): 150. Chaves knew this "not only because I commanded at Fort Wingate, but also for the reason that I interpreted from Spanish to English to General Carleton himself what Indians said to the Navajo interpreter."
  - 9 For Chaves's army service generally, see "J. Francisco Chavez," in Vigil, *Los Patrones*: 57–58; W. G. Ritch, *The Legislative Blue-Book of the Territory of New Mexico* (Albuquerque: University of New Mexico Press, 1968; reprint of 1882 edition): 107; "The Cruel Assassin's Bullet," 28 November 1904, *Daily Citizen* (Albuquerque): 1; "Escorted to His Final Resting Place," 30 November 1904, *Santa Fe New Mexican*: 1. For Chaves's position on the Indian removal policy, see Martha Durant Read, "Colonel Jose Francisco Chaves: A Short Biography of the Father of the New Mexico Statehood Movement," *Southwest Heritage* 8, no. 4 (Winter 1978–1979): 16. For more information about Chaves's commanding role at Fort Wingate, see Robert Utley, *Frontiersmen in Blue: The United States Army and the Indian, 1848–1865* (Lincoln: University of Nebraska Press, 1981; reprint of 1967 edition): 238–241.
  - 10 Ramirez, "The Hispanic Political Elite in Territorial New Mexico": 287; Read, "Colonel Jose Francisco Chaves": 16. Ramirez states that Chaves studied law and passed the bar in the 1840s, whereas Read states that Chaves studied law and passed the bar after he retired from the military in 1863.
  - 11 Colton, *The Civil War in the Western Territories*: 197–198; Howard R. Lamar, *The Far Southwest, 1846–1912: A Territorial History*, rev. ed. (Albuquerque: University of New Mexico Press, 2000): 109–112. By the 1864 presidential election, New Mexico Republicans had split into three groups: "the regulars, consisting of Governor [Henry] Connelly, Delegate Perea, and Judge John S. Watts, who openly declared for Lincoln; another faction, led by Connelly's own secretary [of the territory], W. F. M. Arny, who supported [Salmon] Chase and the Radicals [Republicans]; and still a third group, who were actually old-time Democrats and wanted [George B.] McClellan for President." By the 1865 election for Territorial Delegate, Chaves "ran on a pro-Army and anti-Bosque ticket, while his cousin Francisco Perea ... defended the General."
  - 12 Colton, *The Civil War in the Western Territories*: 197–198; William A. Keleher, *Turmoil in New Mexico, 1846–1868* (Santa Fe: Sunstone Press, 2008; reprint of 1952 edition): 126–127. The area of Los Conejos, "being the extreme northern portion of New Mexico, was severed from New Mexico and annexed to the territory of Colorado by act of Congress approved February 28, 1861. The sole purpose of the severance, affecting 3,000 native born New Mexicans, was to give evenness and symmetry to the southern boundary of Colorado. Hon. Francisco Perea ... belatedly protested against the severance, in a letter written to James M. Ashley, chairman of the Committee on Territories in the House ... and attempted to reclaim the lost territory for New Mexico, contending the act of severance had passed without consultation or warning."
  - 13 Read, "Colonel Jose Francisco Chaves": 16.
  - 14 The *Santa Fe Weekly Gazette* published an 1864 letter in which Chaves advised Perea not to support the reservation system because of political opposition in San Miguel County. Also published were some articles Chaves wrote for the *Santa Fe New Mexican*, as well as formal petitions he wrote in 1864 and 1865 prior to his candidacy that were critical of the reservation system. See "Chavez and the Reservation Question," 5 August 1865, *Santa Fe Weekly Gazette*: 2. The article lists Chaves's 1864 letter to Perea, three articles from the *Santa Fe New Mexican* objecting to the reservation, a formal petition protesting the reservation that was signed by 1,974 residents of San Miguel County, and statements from Chaves's April 1865 nominating convention rejecting the addition to the platform of a statement supporting the reservation.
  - 15 "The Issue to Be Decided," 26 August 1865, *Santa Fe Weekly Gazette*: 2.
  - 16 "Chavez on the Stump," 22 July 1865, *Santa Fe Weekly Gazette*: 2.
  - 17 "Desperation," 4 August 1865, (Santa Fe) *The New Mexican*: 2. The writer notes, "None of [Chaves's] friends are surprised at this—they have seen that every dollar of patronage, and every means of influence in the hands of the commander of this Department were to be exerted to the fullest extent to defeat Colonel Chavez."
  - 18 "Francisco Perea, Delegate to 38th Congress, Dies at His Home Here."





- 19 "The Election—the Result," 6 October 1865, (Santa Fe) *The New Mexican*: 2.
- 20 September 21, 1865, entry of Governor's Journal Certifying Delegate Election Results, Copy of the Executive Records of the Territory of New Mexico, Department of State Territorial Papers, New Mexico, 1851–1872 (National Archives Microfilm T17, Roll 2), General Records of the Department of State, Record Group 59, National Archives at College Park, College Park, MD (NACP). The official results—8,571 votes for Chaves and 6,180 votes for Perea—were printed in "Territorial Election," 30 September 1865, *Santa Fe Weekly Gazette*: 2.
- 21 Read "Colonel Jose Francisco Chaves": 16; Robert W. Larson, *New Mexico's Quest for Statehood, 1846–1912* (Albuquerque: University of New Mexico Press, 1968): 86–88.
- 22 *Congressional Globe*, House, 39th Cong., 1st sess. (22 January 1866): 350.
- 23 *Congressional Globe*, House, 39th Cong., 1st sess. (13 February 1866): 811–812. Chaves also lobbied for appropriations for relief (although it is not clear why) for towns and villages in New Mexico and Arizona. See *Congressional Globe*, House, 39th Cong., 1st sess. (19 February 1866): 919.
- 24 *Congressional Globe*, House, 39th Cong., 1st sess. (28 July 1866): 4307. Chaves proposed an amendment to H.R. 715, a bill to fund the construction of penitentiaries in the territories and to secure \$40,000 to build other public buildings, but the bill was not adopted.
- 25 *Congressional Globe*, House, 39th Cong., 2nd sess. (7 February 1867): 1073; *Congressional Globe*, House, 39th Cong., 2nd sess. (14 February 1867): 1246–1247. Chaves also submitted private relief bills and proposals for increases in territorial judges' salaries.
- 26 "Como equivalente para la tazacion [*sic*] incidente al aumento de los gastos, tendreis vuestras leyes enteramente bajo vuestro propio dominio, y los actos de vuestra Legislatura no seran sujetos, á revision y abrogación de una autoridad más alta, como lo son ahora, y como continuaran, mientras permanesereis [*sic*] en vuestra presente, dependiente condición política ... tendreis el alto privilegio de elijir [*sic*] vuestros propios oficiales, quienes os seran responsables por su conducta ... remover de su empleo, á vuestro placer cuando fueran infieles, en lugar de estar obligados de mandar vuestras quejas á esta ciudad, en donde se atienden con negligencia é indiferencia, y frecuentemente menopreciadas." Chavez (Chaves), "A los ciudadanos de Nuevo Méjico." Translated as "To the Citizens of New Mexico," by Translations International, Inc. (August 2010).
- 27 "Col. Chaves' Letter of Acceptance," 27 April 1867, (Santa Fe) *The New Mexican*: 2.
- 28 "Review," 18 May 1867, (Santa Fe) *The New Mexican*: 2.
- 29 "The Result," 21 September 1867, (Santa Fe) *The New Mexican*: 2.
- 30 According to the Santa Fe *New Mexican*, the probate judge in Dona Ana County unilaterally "went over the ... poll books of his county, and wrote the word 'rejected' across the names of *two hundred and thirty-one Chaves voters*." Votes from entire precincts in Mora and Socorro Counties were summarily disqualified by the Secretary of the Territory, W. F. M. Army. See "The Result." [Italics in the original.] Usually, territorial officials produced two copies of the voting tallies, one for the secretary of the territory and the other for the probate judge. Historian Howard Lamar writes, "Probate judges also controlled the election machinery, which meant that they had a major voice in determining who should be elected to the Assembly, who would become delegate, and who would succeed to local office." See Lamar, *The Far Southwest, 1846–1912: A Territorial History*: 76.
- 31 "The Copperheads Running off the Witnesses of Col. Chaves," 4 February 1868, (Santa Fe) *The New Mexican*: 2.
- 32 *Congressional Globe*, House, 40th Cong., 3rd sess. (20 February 1869): 1423–1424. For an example of witness intimidation during the investigation of the contested election case, see "The Copperheads Running Off the Witnesses of Col. Chaves."
- 33 Chester H. Rowell, *A Historical and Legal Digest of All the Election Cases in the House of Representatives of the United States from the First to the Fifty-Sixth Congress, 1789–1901* (Westport, CT: Greenwood Press, 1976; reprint of 1901 edition): 225. For a detailed summary about the contested election case, see the explanation of S. N. Pettis of Pennsylvania in *Congressional Globe*, Appendix, 40th Cong., 3rd sess. (18, 20 February 1869): 203–205. For Charles Clever's rebuttal, see *Congressional Globe*, Appendix, 40th Cong., 3rd sess. (20 February 1869): 248–258. For Chaves's public letter thanking his constituents for their support, see "Address," 9 March 1869, (Santa Fe) *The Daily New Mexican*: 1. Interestingly, Stephen B. Elkins, a future Territorial Delegate and U.S. Senator, represented Chaves during the contested election case.
- 34 "The Canvass," 31 August 1869, (Santa Fe) *The Daily New Mexican*: 1; "The Gazette Mourneth," 17 September 1869, (Santa Fe) *The Daily New Mexican*: 1. For more information about Romero, see Ramirez, "The Hispanic Political Elite in Territorial New Mexico": 288.
- 35 "The Finality of Our Delegate Election," 24 September 1869, (Santa Fe) *The Daily New Mexican*: 1. Chaves earned 8,194 votes; and Romero earned 6,273.
- 36 *Congressional Globe*, Index, 41st Cong., 2nd sess.: CCXLVI.
- 37 *Congressional Globe*, House, 41st Cong., 2nd sess. (20 December 1869): 240; *Congressional Globe*, House, 41st Cong., 2nd sess. (7 February 1870): 1088; *Congressional Globe*, House, 41st Cong., 2nd sess. (19 March 1870): 2095.
- 38 *Congressional Globe*, House, 41st Cong., 2nd sess. (24 January 1870): 709; *Congressional Globe*, House, 41st Cong., 2nd sess. (19 March 1870): 2095; *Congressional Globe*, House, 41st Cong.,



- 2nd sess. (28 April 1870): 3074; *Congressional Globe*, House, 41st Cong., 2nd sess. (2 June 1870): 4018.
- 39 *Congressional Globe*, House, 41st Cong., 3rd sess. (3 March 1871): 245.
- 40 “Washington Correspondence,” 10 July 1871, (Santa Fe) *The Daily New Mexican*: 1. The correspondent blamed the failure of the enabling act on presidential politics: “But for the pending presidential election of 1872, the enabling act would have passed Congress; but the democrats determined the vote of New Mexico should not be given to Grant in 1872 ... as they also did the enabling act for Colorado.”
- 41 “Washington Correspondence.”
- 42 Larson, *New Mexico’s Quest for Statehood, 1846–1912*: 93, 125–126.
- 43 Read, “Colonel José Francisco Chaves”: 16–17.
- 44 Gerald Arthur Theisen, “Jose Manuel Gallegos (1815–1875): The First Mexican American in the United States Congress,” (Ph.D. diss., University of New Mexico, 1985: 177–179).
- 45 No title, 13 May 1871, (Santa Fe) *The Daily New Mexican*: 1. Chaves may have lost support because of the publication of a critical letter by New Mexico chief justice Kirby Benedict, who accused Chaves of slander in 1870. For more information, see 4 May 1871, (Santa Fe) *The Daily New Mexican*: 1. For a copy of the letter in question, see Aurora Hunt, *Kirby Benedict, Frontier Federal Judge* (Glendale, CA: Arthur H. Clark Company, 1961): 196.
- 46 “Washington Correspondence,” 14 July 1871, (Santa Fe) *The Daily New Mexican*: 1. One writer charged Chaves “has proved himself an utter failure because of his failing to get these [securing land for public works] and other appropriation for the benefit of the Territory.” Chaves supporters blamed congressional Democrats’ intransigence: “The [Democratic] leaders that passed these resolutions know ... that the defeat of all New Mexican measures ... was the work of the democratic members in the House.” See A Republican, “Washington Correspondence,” 20 July 1871, (Santa Fe) *The Daily New Mexican*: 1. For a similar charge, see “Political Misrepresentations,” 2 September 1871, (Santa Fe) *The Daily New Mexican*: 1.
- 47 Twitchell, *Leading Facts of New Mexican History*, vol. 2: 400–401; Theisen, “Jose Manuel Gallegos (1815–75)”: 177–179. According to Twitchell, no one was indicted or punished for the riot. For a contemporary report, see “The Mesilla Riot” and “Great Riot in Mesilla,” 1 September 1871, (Santa Fe) *The Daily New Mexican*: 1.
- 48 Theisen, “Jose Manuel Gallegos (1815–75)”: 177–179; “Official Vote for Delegate,” 19 September 1871, (Santa Fe) *The Daily New Mexican*: 1. The official tally was 7,670 votes for Gallegos, 5,285 for Chaves, and 2,534 for Sena. Interestingly, in late July 1871, a writer who alleged that Democrats encouraged Sena to run claimed, “There is no more chance of the election of Gallegos now that Sena is running than there was before, because ... Sena will take few or no votes from the republican party but probably will take from the democratic party many votes which they would have retained if only two candidates were in the field.” See A Republican, “Washington Correspondence,” 26 July 1871, (Santa Fe) *The Daily New Mexican*: 1.
- 49 Read, “Colonel Jose Francisco Chaves”: 18; Lamar, *The Far Southwest, 1846–1912: A Territorial History*: 142–143; Territory of New Mexico, *Report of the Secretary of the Territory, 1903–1904, and Legislative Manual, 1905* (Santa Fe: The New Mexican Printing Company, 1905): 48 opposite. According to Lamar, Chaves’s split with the Ring came after the contested election case of Tranquilino Luna and Francisco Manzanares. In the 1884 election for Delegate, Chaves supported Independent candidate William L. Rynerson until the end, when he threw his support to Democratic candidate Antonio Joseph over Republican candidate L. Bradford Prince and Independent candidate E. L. Brown. Chaves also advocated moving the state capital from Santa Fe to Albuquerque to dilute the Ring’s influence. During the debate, as “rival contestants showed up to claim Council seats from [nearby counties], the Santa Feans, fearful of losing the capital, hastily seated the antiremoval delegates. This was the breaking point. [Chaves] ... already itching for a fight and always a brilliant organizer, set up his own council of insurgent members. Thomas Catron, leading the antiremoval forces, pushed through an act that permanently located the capital in Santa Fe. But the price paid was open rupture within the Republican Party” [in New Mexico].
- 50 *Report of the Secretary of the Territory, 1905–1906 and Legislative Manual, 1907* (Albuquerque: Morning Journal, 1907): 168–178; Paul A. F. Walter, ed., *Colonel Jose Francisco Chaves, 1833–1924* (Santa Fe: Historical Society of New Mexico, 1926): 5–6. This English translation of the title contains an error: “1924” should be “1904,” the year Chaves died. The original, Spanish title contains the correct year.
- 51 Read, “Colonel Jose Francisco Chaves”: 18–19. For more about the constitutional convention and Chaves’s role, see Larson, *New Mexico’s Quest for Statehood, 1846–1912*: 147–168.
- 52 “By the Bullet of a Dastardly Assassin”; “The Cruel Assassin’s Bullet.” Accounts of Chaves’s assassination differ. According to the Santa Fe newspaper, Chaves “fell dead with a bullet piercing his lungs just over the heart and passing out of the body and imbedding itself several inches in the wall.” The Albuquerque newspaper reported that “the bullet struck the head, and penetrated the brain.”
- 53 “Suspect Valles at Santa Fe,” 30 November 1904, *The Daily Citizen* (Albuquerque): 1; “Suspected Assassin of Colonel J. Franco Chaves Captured by Game Warden P. B. Otero”; Walter, ed., *Colonel Jose Francisco Chaves, 1833–1924*: 9–10; Read, “Colonel Jose Francisco Chaves”: 20.
- 54 “Escorted to His Final Resting Place.”